

Neifeld Docket No: CAT/34-SCRO-CCP

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Inventor/title: Scroggie/System and Method For Distributing Information Through Cooperative Communication Network Sites

Examiner/ArtUnit: Robinson Boyce/3639

37 CFR 41.41 REPLY BRIEF

ASSISTANT COMMISSIONER FOR PATENTS

ALEXANDRIA, VA 22313

Sir:

In response to the examiner's answer mailed June 20, 2007, the appellant files this reply brief.

Regarding claims 50 and 51, page 4 line 23 through page 5 line 2 of the examiner's answer, stated that:

(Col. 3, lines 47-50, user [uses computer] to make online selection to Internet Coupon Server, w/Col. 7, lines 45-51 [Jovicic], it is shown that the customer can select a coupon from the coupon server and send the coupon directly to the redemption center (retail outlet), therefore, while the consumer transmits data from a consumer to a coupon server as shown in col. 3, lines 47-50, Jovicic additionally shows that the consumer also has the capability to transmit data to the redemption center (retail outlet);

In response, the appellant disagrees. The examiner's argument relates to the limitation defined by the recitations in claims 50 and 51 of "transmission/means for transmitting from a consumer to a retailer website". Jovicic col. 3, lines 47-50 with col. 7, lines 45-51 does not disclose this limitation.

The appellant notes that Jovicic col. 3 lines 47-50 and col. 7 lines 45-51 state that:

. . . a user input device coupled to the central processing unit to permit a user to make an on-line selection of one of a plurality of electronic coupons collectively stored in the Internet Coupon Server's memory. . .

A person can select an electronic coupon 300 from the Internet Coupon Server 124, print out a hard copy and redeem it at the coupon redemption center 142 (retail outlet) or the user could send the coupon using electronic mail *from the Internet Coupon Server 124 directly* to the redemption center's general computing device connected into public computer network such as the Internet 122. [Italics supplied for emphasis.]

Jovicic discloses transmitting a coupon from "*Internet Coupon Server 124 directly* to the redemption center's general computing device", not from the consumer, and not to a retailer web site.

The examiner has not shown that Jovicic discloses that its coupon server is a retailer web site.

Jovicic also discloses transmitting data to the redemption center's general computing device. Jovicic col. 3, lines 47-50 with col. 7, lines 45-51 does not disclose that its redemption center's general computing device is a retailer web site. Therefore, the 102 rejection of claim 50 is improper and should be reversed.

The 102 rejection of claim 51 is based upon the same reasoning as for claim 50. Claim 51 is a means plus function analog of claim 50. Therefore, the 102 rejection of claim 51 is improper for the same reasons applicable to claim 50.

Regarding claims 24, 36, 48, and 49, on page 6 line 20 through page 7 line 3, the examiner's answer stated that:

Col. 9, line 65-Col. 10, line 17, shows that the user enters demographic information such as location data to the Internet Coupon Server, w/ col. 3, lines 34-38 shows that the Internet coupon server records transactions to the coupon's Internet Coupon Notification Center, therefore, when the Internet coupon server records transactions to the coupon's Internet Coupon Identification Center, this event suggests that the server is recording location data);

In response, the appellant disagrees. The examiner's arguments relate to the limitations in claims claims 24, 36, 48, and 49: "in response to said request for manufacturer incentives, transmitting region data from said Web site of said manufacturer over the Internet to a remote Web site; in response to receipt of region data at said manufacturer's Web site, transmitting from said remote Web site to said Web site of said manufacturer at least one manufacturer incentive and at least one name and address of a retailer." Jovicic does not disclose those limitations, and the examiner's reliance upon Jovicic col. 9, line 65 - col. 10, line 17 is misplaced.

The appellant notes that Jovicic col. 9 line 65 to col. 10 line 17, and col. 3 lines 34-38, with emphasis supplied, state that:

According to the preferred embodiment of the invention, in order for the user to enter the Internet coupon communication system, Internet Coupon Server 124 requests login name and password from the user 602. Internet Coupon Server 124 then verifies 604 whether user's login name (login) and password match any

login and password in the user data base 126. If login and password match any login and password in user data base, the registration process ends. **If the login and password do not match any login and password in the user database, the user is prompted to input his name 606 which is then stored in field 1 of the user data base. The user is then prompted to input preferred login name and password 606 for later use, which are then stored in fields 2 and 3 respectively. The user is then prompted to input demographic information 608, such as location, sex, occupation, household income and any other pertinent demographic information preset by the Internet Coupon Server 124, which is then stored in the field 5 of the user data base 126. The Internet Coupon Server 124 then assigns an identification number to the user 610 and stores it in field 4 of the user data base. Subsequently, Internet Coupon Server assigns the standard customized message 612 in field 6 of the user data base which could be changed from time to time.**

It further records the transaction to the coupon's Internet Coupon Notification Center which at the time of actual purchase will verify coupon's validity, update user's billing information and record coupon's redemption.

The examiner's conclusion that "when the Internet coupon server records transactions to the coupon's Internet Coupon Identification Center, this event suggests that the server is recording location data" is incorrect. In fact, Jovicic discloses that the location data is for the purpose of a user logging on and is not part of the transferred transaction data. In this regard, Jovicic column 8 lines 48-50 states that:

Upon coupon selection 412, the transaction is recorded in the coupon data base 130, said data base containing Coupon Structure (Table 1).

Further, Jovicic col. 8 lines 61 to col. 9 lines 8 discloses the elements of data comprising a coupon transaction, in "Coupon Structure (Table 1)", which states that these data element are as

follows:

1. Number of coupons available
2. Coupon discount information
3. Product title
4. Owner's title
5. Owner's coupon specification data
6. Uniform Product Code
7. Graphical presentation of a Bar Code
8. Expiration date
9. Graphical presentation of a product
10. Coupon Serial Number
11. Past transactions

The contents of Table 1, do not disclose that either location data or demographic data are elements comprising a coupon transaction. Therefore, the examiner's reliance on Jovicic col. 3 lines 34-38 is unfounded.

Jovicic column 10 lines 7-17 (highlighted above in bold print from Jovicic col. 9, line 65- Col. 10, line 17) discloses that if the user login fails, the user is prompted to enter information, including "demographic information such as location data", and the Internet Coupon Server 124 will assign an identification number to the user. Jovicic does not disclose that "demographic information such as location data" is used for any reason other than user login.

Therefore, Jovicic col. 3 lines 34-38 does not disclose "in response to said request for manufacturer incentives, transmitting region data from said Web site of said manufacturer over the Internet to a remote Web site; in response to receipt of region data at said manufacturer's Web site, transmitting from said remote Web site to said Web site of said manufacturer at least one manufacturer incentive and at least one name and address of a retailer", as defined in claims 24, 36, 48, and 49.

Also regarding claims 24, 36, 48, and 49, on page 15 lines 1-7, the examiner's answer stated that:

However, col. 3, lines 34-38 shows that the Internet coupon server records transactions to the coupon's Internet Coupon Notification Center. Also, in col.

10, lines 12-17, it is shown that the user must enter in location data into the coupon server in order to make a transaction, therefore making location data part of transaction data. Therefore, when the Internet coupon server records transactions to the coupon's Internet Coupon Notification Center, this event suggests that the server is recording location data.

In response, the appellant disagrees. As noted in the above response regarding Jovicic col. 9, line 65-col. 10, line 17 and Jovicic col. 3, lines 34-38, Jovicic does not disclose "in response to said request for manufacturer incentives, transmitting region data from said Web site of said manufacturer over the Internet to a remote Web site; in response to receipt of region data at said manufacturer's Web site, transmitting from said remote Web site to said Web site of said manufacturer at least one manufacturer incentive and at least one name and address of a retailer", as defined in claims 24, 36, 48, and 49.

For the reasons presented above, the 103 rejections of claims 24, 36, 48, and 49 are improper and should be reversed.

The remainder of the examiner's answer reiterates the arguments in the office action appealed from, which are addressed in the principle appeal brief.

8/16/2007

Date

Respectfully Submitted,

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Date/Time: August 17, 2007 (9:52am)

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